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1/28/04

367.39104X00
PAT 99033 US (NC 25116 US)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Winand D'SOUZA
Serial No.: 09/684,949
Filed: October 10, 2000
For: A PORTABLE ELECTRONICS DEVICE
Art Unit: 2683
Examiner: Stephen M. D'Agosta

RECEIVED

JAN 15 2004

Technology Center 2600

RESPONSE TO HOLDING OF ERRONEOUS ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 14, 2004

Sir:

Applicant requests the reinstatement of the above-referenced application to pending status and the issuance of an Office Action on the merits forthwith in view of the undersigned's firm not having received the Office Action of February 12, 2003, which is identified in the Notice of Abandonment which was mailed in the above-referenced application on December 4, 2003. The undersigned has physically inspected the file of the above-referenced application and the file does not contain the above-noted first Office Action.


Submitted herewith is a printout of the undersigned firm's docketing records regarding the above-referenced application. It should be noted that there is nothing in the computer database docketing records for this application reflecting the issuance of an Office Action on February 12, 2003.

Furthermore, enclosed is a photocopy of the August 12, 2003 manual docketing records of the undersigned's firm which is kept as a parallel system to the computer docket entry as discussed above. If a first Office Action had been issued on February 12, 2003, the end of the statutory period would have been docketed on August 12, 2003 for response. It should be noted that there is no entry therein regarding docket 367.39104X00 which is the docketing entry identification for the above-identified application. Additionally, attached hereto is the May 12, 2003 manual docketing records for the undersigned's firm which also would have contained an indication that the shortened statutory period for response to the February 12, 2003 Office Action would have expired on May 12, 2003.

Based on the manual inspection of the file by the undersigned, the computer records of the undersigned's firm, which are kept in the ordinary course of business involving the above-referenced application and the photocopies of the manual docketing records for May 12, 2003 and August 12, 2003, the undersigned asserts that the Office Action referred to in the Notice of Abandonment was never received by the undersigned's firm.

In view of the foregoing, it is requested that the Examiner forthwith reinstate the application to pending status and issue a first Office Action.

Respectfully submitted,



Donald E. Stout
Registration No. 26,422
ANTONELLI, TERRY, STOUT & KRAUS, LLP
(703) 312-6600

Attachments

DES:dlh

OPER ☐ RLS ☐ ENTERED 9/19/2000 MODIFIED 12/30/2003 ATTORNEYS DES ☐ DES ☐ / DKT ☐ PRINTED ON: 12/30/2003

ATSK# 367.39104X00 CNTRY US UNITED STATES NEW/COR NEW RELATED

PATS# P19068US0 TYPE UTL SERIAL# 09/684,949 PATENT# STAT ABANDONED

TITLE A PORTABLE ELECTRONICS DEVICE RL/FM 013395/0123

CLIENT 367 NOKIA IPR DEPARTMENT 1 CREF PAT 99033 US SE NO ART 3662

AGENT AREF CLAIMS 00206545

PRIOR 10/8/1999 MAIL 10/10/2000 FILE 10/10/2000 PUBL ISSUE ABN y 12/24/2003 1ST 10/10/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12 M	10/8/2000		10/8/2000	0	10/10/2000	1 M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1 M	11/10/2000		11/10/2000	0	10/20/2000	0 M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3 M	1/10/2001		1/10/2001	0	12/11/2000	0 M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2 M	2/1/2001	5 1	7/1/2001	0	12/29/2000	1 M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0 M	6/19/2003		6/19/2003	0	5/7/2003	1 M	Y	Y	N
NB	Y	NOT OF ABANDONMENT	12/24/2003										

INVENTORS	ASSIGNEES
D'SOUZA, WINAND	NOKIA MOBILE PHONES LIMITED

PRIOR APPLICATIONS					
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO	TYP
	GB	9923957.6	10/8/1999		APPL

NOTES
 11/13/00 LTR/PD DOC/FORM DAW
 12/26/00 LTR/DECL/ASSIGN
 3/27/03 LTR/IDS

*Record does not show that
 we received Office Action dated
 2/12/03.*

Len

OPER ☐ WSM ENTERED 9/19/2000 MODIFIED 5/7/2003 ATTORNEYS ☐ DES / ☐ DKT PRINTED ON: 12/18/2003
 ATSK# 367.39104 CENTRY US UNITED STATES NEW/CON NEW RELATED
 PATS# P19068US0 TYPE UTL SERIAL# 09/684,949 PATENT# STAT PENDING
 TITLE A PORTABLE ELECTRONICS DEVICE RL/FM 013395/0123
 CLIENT 367 NOKIA IPR DEPARTMENT 1 CREF PAT 99033 US SE NO ART 3662
 AGENT AREF CLAIMS 00206545
 PRIOR 10/8/1999 MAIL 10/10/2000 FILE 10/10/2000 PUBL ISSUE EXP 10/10/2020 1ST 10/10/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12M	10/8/2000		10/8/2000	0	10/10/2000	1M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1M	11/10/2000		11/10/2000	0	10/20/2000	0M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3M	1/10/2001		1/10/2001	0	12/11/2000	0M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2M	2/1/2001	51	7/1/2001	0	12/29/2000	1M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0M	6/19/2003		6/19/2003	0	5/7/2003	1M	Y	Y	N

INVENTORS

D'SOUZA, WINAND

ASSIGNEES

NOKIA MOBILE PHONES LIMITED

PRIOR APPLICATIONS

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO	TYPE
	GB	9923957.6	10/8/1999		APPL

NOTES

11/13/00 LTR/PD DOC/FORM DAW
 12/26/00 LTR/DECL/ASSIGN
 3/27/03 LTR/IDS

400.28838x00	5,063,872	main fee	Gem
358.29126x00	5,064,188	main fee	JUD olm
445.29285x00	5,064,999	main fee	DEA S/D
520.42146x00	Hanada 272942	decl fee	QNU
520.42133x00	Takemura 263105	decl fee	EB 100
500.40580x00	NAKAYAMA 940638	NOA esp	WLS/PTW 4/10
501.39610x00	OHGUCHI 798948	Response esp	MK
520.38186x00	TAKITA 500073	Response esp	CB/esp
500.41153x00	KIKUCHI 066667	Response esp	MK 2/12
503.38097x00	KAWIWARA 493080	Response esp	GEM 7
321.2598100		statement of use	203 aas
516.63324x00	Iasai 924583	Passage/pub fee	MK/esp
520.34814x00	Kondo 173819	Passage/pub fee	CB
500.40409x00	Hamada 919892	Passage/pub fee	MK
520.37780x00	Kimura 429400	Passage/pub fee	CB/PA
"	"	form draws	CB/IFPS
500.35395x2	Yasuo 1002911	Passage	CB S/D
396.40194x00	Matsumoto 874418	Passage	aas
"	"	pub fee	aas
358.40744x00	Yamamoto 970906	Passage	WLS 4/2
"	"	pub fee	WLS
500.36720x00	Osabono 942737	Passage	aas
"	"	form draw	aas
219.37062x00	Susnow 432055	Passage	PS/HRB 5/7
"	"	form draw	PS/HRB
219.38223x00	Reon 593200	Passage	PS
"	"	form draw	PS
1021.39150x00	Enaga 682470	Passage	CB SK
"	"	form draw	CB 4/2
1012.39249x00	Conu 703724	Passage	aas
500.41292x00	Monwa 083411	Passage	WLS
"	"	pub fee	WLS
306.39339x00	Rentner	Passage	aas
501.39289x00	Choshida	Passage	WLS
"	"	pub fee	WLS
503.35933x08	Qara 828833	Passage/pub fee	WLS
501.37945x00	Mishima 452462	Passage	MK
648.39201x00	Kawasati 791805	Passage/pub fee	WLS/HRB
396.3166750x1	Shimpo 449833	Passage	WLS ARE
520.37572x00	Shiraochi 028424	Passage/pub fee	MKT
306.37846x00	Brede 096807	Passage/pub fee	aas
501.40550x00	Kikuchi 935543	Passage	MKT PS
"	"	pub fee	MKT PS
805.38848x00	Osasaka 649571	Passage	aas
1176.11416x00	Mainta 985464	Passage/pub	aas
501.38308x00	Kawanami 508205	Passage	MKT
520.39305x00	Atsue 0500	Passage/pub	MKT

QAR 3/1/12

14M AUGUST

12 WEDNESDAY

8/12/03 R#

003 224th day - 141 days to

0172 42240X00 ~~file not on~~ (date 8/12/03) DES
1154 42354X00 ~~dece~~ 6/15 4/3
500.38711X00 EBIHARA 604246 RESPONSE ESP CIB/PO
500.41508X00 KATO 094950 RESPONSE ESP MK 9
219.39502X00 FANNING 886131 RESPONSE ESP/ROS/DO
520.41286X00 UENDRA 082088 RESPONSE ESP MK
500.39016X00 HARANO 654389 RESPONSE ESP MK 8
500.39551X00 KIKKAWA 760440 NOA ESP MK 2
500.35360X01 ICHIEUJI 418822 RESPONSE ESP MK/RSS
865.41078X00 FLEISSNER 046275 RESPONSE ESP AES S
500.36987X01 TARASE 267324 NOA ESP MIS/RTV
458.41381X01 KIGHT 541362 NOA ESP AAS/SN
501.36599X00 HASEGAWA 257494 NOA ESP PLS
501.41881X00 NOYAMA 656261 RESPONSE ESP CIB 7/4
500.37782X00 SHIOKAWA 429299 RESPONSE ESP MIC/PS
520.40813X00 MATSUO 986589 RESPONSE ESP SEMEL
358.41108X00 YAMAMOTO 050969 RESPONSE ESP JND
612.37800X00 SARDA 455.408 RESPONSE ESP DES
500.384X00 SUGANO 801 TAE
1158.41324X00 KIGHT 540011 NOA ESP AAS/SUL
219.40243X00 ~~hunch~~ 945078 ~~package~~ PS/POB
" " ~~from draws~~ PS/POB
500.38927X00 ~~Shada~~ 644072 ~~package~~ MK 8
" " ~~from draw~~ MK
500.38364X01 ~~Shadawa~~ 040451 ~~package~~ AES 8
520.37469X01 IDS DUE CUB
843.40575X00 ~~DRAWINGS~~ ESP 604 8/12
501.34968X01 ~~DRAWINGS~~ ESP 604 8/12
500.41509X00 ~~file cont app~~ MK 7/8
501.35152X02 ~~file cont app~~ LNA / Reun
500.30874X00 ~~file CA~~ MK 8/12
500.38947X00 ~~file CA~~ MK 8/12
500.40473X05 ~~file div app~~ MK 8/12
843.30542X00 ~~file CA~~ LNA
500.40366X00 ~~file cont app~~ MK 8/12
520.39294X00 ~~file cont app~~ P3 8/8
800.36612X00 ~~file DW~~ App WLS/ Bumpier

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1244.42976X00 GRAY 8061-808 SJP New App
1244.42977X00 GRAY 8061-853 SJP New App
1244.42978X00 GRAY 8061-856 SJP New App
1244.42979X00 LISCANO 8061-871 SJP New App
1244.42980X00 LISCANO 8061-859 SJP New App
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1244.42982X00 GRAY 8061-883 SJP New App